IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 25236 of 2004(D)

PETITIONER:

SHREE VIDYADHIRAJA VIDYA SAMAJAM,
REP. BY ITS SECRETARY, EAST ALUMMOOD BUNGALOW,
CHETTIKULANGARA, THIRUVANANTHAPURAM.

BY ADV. SRI.N.NANDAKUMARA MENON
SRI.K.VINODKUMAR
SRI.P.K.MANOJKUMAR

RESPONDENTS:

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1. THE UNIVERSITY OF KERALA,
REP. BY ITS REGISTRAR, UNIVERSITY BUILDING,
PALAYAM, THIRUVANANTHAPURAM.

2. THE GOVERNMENT OF KERALA REP. BY THE
SECRETARY TO GOVERNMENT (HEALTH & FAMILY WELFARE),
GOVERNMENT SECRETRIAT,THIRUVANANTHAPURAM.

3. THE COMMISSIONER OF ENTRANCE EXAMINATION
HOUSING BOARD BUILDING, SANTHINAGAR,
THIRUVANANTHAPURAM.

4. THE PRINCIPAL, SHREE VIDYADHIRAJA
HOMOEOPATHIC MEDICAL COLLEGE, NEMOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.S.GOPAKUMARAN NAIR, SC KERALA UTY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	COPY OF THE LETTER ISSUED BY THE CENTRAL COUNCIL OF HOMOEOPATHY TO THE SECRETARY, GOVERNMENT OF INDIA, MINISTRY OF HELATH AND FAMILY WELFARE NO.16-1/2002-CCH/8563 DATED 14/08/2003.
EXT.P2	COPY OF THE ELTTER NO.16-1/2002-OCH.S 847 DATED 31/05/2002 SENT TO THE PETITIONER BY THE CENTRAL COUNCIL OF HOMEOPATHY NEW DELHI.
EXT.P3	COPY OF THE LETTER NO.16-1/2002-CCH/2/320 DATED 08/10/2003 ISSUED BY THE SECRETARY, CENTRAL COUNCIL OF HOMOEOPATHY TO THE PETITIONER.
EXT.P4	COPY OF THE JUDGMENT DATED 21/10/2003 IN OP NO. 13507/2003 (Y) PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.
EXT.P5	COPY OF THE JUDGMENT DATED 26/11/2003 IN OP NO. 35988/2003 (H) PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.
EXT.P6	COPY OF THE ORDER NO.AC131/31650/2001 DATED 30/01/2004 ISSUED BY THE REGISTRAR, UNIVERSITY OF KERALA.
EXT.P7	COPY OF THE ORDER NO.AC.B1/23360/2002 DATED 27/04/2002 ISSUED BY THE UNIVERSITY OF KERALA, TRIVANDRUM.
EXT.P8	COPY OF THE ORDER DATED 05/07/2004IN WPC NO.9126/2004 PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.
EXT.P9	COPY OF THE ORDER DATED 03/08/2004 IN WPC NO. 9126/2004 PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.
EXT.P10	COPY OF THE JUDGEMTN DATED 17/08/2004 IN WA NO.1549/2004 PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.
EXT.P11	COPY OF THE STATEMENT FILED BY THE UNIVERSITY DATED 03/08/2004 BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM.
EXT.P12	COPY OF THE LETTER DATED 09/02/2004 SUBMITTED BY THE PETITIONER TO THE REGISTRAR, UNIVERSITY OF KERALA, TRIVANDRUM.
EXT.P13	COPY OF THE REMINDER DATED 07/06/2004 SUBMITTED BY THE PETITIONER TO THE REGISTRAR, UNIVERSITY OF KERALA, TRIVANDRUM.

EXT.P14 COPY OF THE REMINDER DATED 19/07/2004 SUBMITTED BY THE PETITIONER TO THE REGISTRAR, UNIVERSITY OF KERALA, TRIVANDRUM.

EXT.P15 COPY OF THE ORDER DATED 29/09/2004 IN WPC NO.25236/2004 PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.

EXT.P16 COPY OF THE ORDER DATED 05/10/2004 IN I.A. NO.13437/2004 IN WPC NO.9126/2004 PASSED BY THE HIGH COURT OF KERALA AT ERNAKULAM.

EXT.P17 COPY OF THE BANK GUARANTEE SUBMITTED BY THE PETITIONER FOR GRANTING AFFILIATION TO THE SAID COLLEGE DATED 06/10/2004.

EXT.P18 COPY OF THE REPRESENTATION NO.I/SVRHMC/2004/370 DATED 06/10/2004 SUBMITTED BY THE PETITIONER BEFORE THE COMMISSIONER FOR ENTRANCE EXAMINATIONS, THIRUVANANTHAPURAM.

EXT.P19 COPY OF THE REPRESENTATION NO.3/SVRHMC/2004/371 DATED 06/10/2004 SUBMITTED BY THE PETITIONER BEFORE THE REGISTRAR, UNIVERSITY OF KERALA.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 25236 of 2004

Dated, this the 15th day of February, 2007

J U D G M E N T

During pendency of this writ petition, there is controversy about control of management of the petitioner. I therefore feel the petitioner may not be in a position to continue with this writ petition until management dispute is settled. In the circumstances, this writ petition is closed leaving freedom to the Institution to approach this Court for appropriate relief through proper representation. All issues raised are therefore left open.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg